

Amendments to the Drawings:

The attached sheet(s) of drawings includes changes to Fig.1. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1. Fig. 1 is amended to include the label "Prior art", as requested by the Examiner.

Attachment: Replacement Sheet

Remarks

In response to the non-final rejection mailed August 23, 2006, the Applicants respectfully request reconsideration of the rejections and that the case pass to issue in light of the amendments above and the remarks below. Claims 1, 12, 23, and 25 are amended to include limitations directed towards the intelligence module being stationary within the tape drive tray. Figure 1 is amended to include the label "Prior Art."

The Examiners rejects claims 1-6, 9, 11-17, 20, and 22 under 35 U.S.C. § 102(e) as being anticipated by USPA 2004/0056568 to Carlson and claims 7, 8, 10, 18, 21, and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over the Carlson application and USPA 2005/0057847 to Armagost. The Applicants respectfully submits the cited references fail to teach or disclose the limitations of the presently claimed invention.

102(e) - Carlson

The Examiners rejects claims 1-6, 9, 11-17, 20, and 22 under 35 U.S.C. § 102(e) as being anticipated by the Carlson application. This rejection includes independent claims 1 and 12. Each of these independent claims include limitations towards the intelligence module being stationary within the tape drive tray. The Carlson application fails to disclose these limitations.

As required under 35 U.S.C. § 102(e), the Carlson application must particularly disclose each limitation recited in the rejected claims. The Carlson application, however, fails to disclose a stationary intelligence module. The Carlson reference only discloses an elevator system controller 140 that rides between storage modules on a track 102 of an elevator storage system 100. The controller 140 is not stationary within the storage modules. It moves from module to module in order to facilitate transporting tapes between the same.

Accordingly, the Carlson application fails to disclose each feature recited in independent claims 1 and 12 such that the independent claims and dependent claims that depend therefrom are patentable over the Carlson application.

103(a) - Carlson and Armagost

The Examiners rejects claims 7, 8, 10, 18, 21, and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over the Carlson and Armagost applications. The Applicants submit claims 7, 8, 10, 18, and 21, which dependent from patentable independent claims 1 and 12, are patentable at least for the same reasons as the independent claims from which they depend are patent.

The Applicants further submit the cited reference fail to teach the limitations of independent claims 23 and 25 such these claims and claim 24, which depends from claim 23, are patent and nonobvious over the cited references. Claims 23 and 25 include limitations associated with transmitting data signals from an intelligence module that is stationary within the tape drive tray. The cited references fail to disclose these limitations.

As described above, the Carlson application only discloses a controller that moves between modules along an elevator system. The Armagost application fails to make up for the failure of the Carlson application in this regard as it too fails to disclose an intelligence module that is stationary within the tape drive tray. Accordingly, independent claims 23 and 25 and dependent claim 24 are patentable and nonobvious over the cited references.

Conclusion

In view of the foregoing, the Applicants submit each rejection has been fully replied to and traversed and that the case is in condition to pass to issue. The Examiner is

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respectfully request to pass the case to issue and is invited to contact the undersigned if it would further prosecution of the case to issue.

No fees are believed to be due in connection with this response, however, to the extent that any fees are due, please charge any additional fees to our Deposit Account No. 02-3978.

Respectfully submitted,

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By _____


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Date: 9-26-06

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